



## Capper-Volstead at stake

### Next DOJ/USDA joint hearing set for June 25 in Madison

The second of five joint listening sessions on antitrust issues with the United States Department of Agriculture (USDA) and Department of Justice (DOJ) is scheduled for June 25 in Madison. The session, which will focus on competition in the dairy industry, will be held on the University of Wisconsin campus in the Great Hall, Memorial Union, 800 Langdon Street, Madison, Wis. The Madison hearing was previously scheduled for June 7, but was changed to June 25.

Cooperative Network is working closely with members and those organizing the event to ensure that the views of farmer-owned cooperatives are heard during the debate. Cooperative Network is securing space near the hearing site to be used as a headquarters for members, and will also provide members with a briefing prior to the hearing.

“We are intensely concerned about any effort to repeal the Capper-Volstead Act,” said Cooperative Network President and CEO Bill Oemichen. “Cooperatives allow individual farmers to compete with large agribusinesses in today’s global mar-

ketplace, and the limited antitrust protection provided by the Capper-Volstead Act is what allows them to do so.

“Repealing Capper-Volstead would destroy many farmers’ ability to compete in the agricultural market place, so we are taking any threat to repeal or change the act very seriously.”

Since learning about the DOJ’s and USDA’s plans to study competition and regulatory issues in the agriculture industry, Cooperative Network has been working on numerous fronts to ensure that the Capper-Volstead Act is protected. Educating DOJ, USDA, state lawmakers, members of Congress and the public about the importance of the Capper-Volstead Act is an ongoing effort.

- Twenty-six state lawmakers recently signed a letter that was mailed to Minnesota’s congressional delegation explaining the importance of cooperative competition in the agricultural marketplace and requesting protection for the Capper-Volstead Act and other laws that give Minnesota farmers the ability to form cooperatives. A similar letter, signed by 35

Wisconsin state legislators, was personally delivered last week to members of Wisconsin’s congressional delegation in Washington, D.C.

- In March, Cooperative Network’s board of directors sent letters to the Wisconsin and Minnesota congressional delegations, as well as DOJ and USDA, expressing reasons why Capper-Volstead should be retained.

- Cooperative Network President and CEO Bill Oemichen has traveled twice to Washington, D.C. to meet with the staff of the U.S. Senate Antitrust Subcommittee on this issue.

- Cooperative Network staff has also discussed the importance of the Capper-Volstead Act with the attorneys general in Minnesota and Wisconsin. Attorney General Lori Swanson in Minnesota and Attorney General J.B. Van Hollen in Wisconsin did not join in a letter with other attorneys general across the country calling for cooperative antitrust exemptions to be revisited.

- Cooperative Network Dairy Director David Ward attended the first DOJ/USDA listening session held in Ankeny, Iowa, and is working closely with those organizing the Madison hearing, as well as members and other agricultural groups planning to attend.



*U.S. Senator Amy Klobuchar addresses participants at Rail Customer Lobby Day May 5 in Washington, D.C. Cooperative Network staff and other rail customer representatives met with all the members of Minnesota’s congressional delegation. The goal of Rail Lobby Day, organized by Gopher Consumers United for Rail Equity (CURE), is to pass federal legislation that would improve the Surface Transportation Board and remove the Class*

## Calendar

**May 20-21**—Cooperative Network Board Meeting, Rochester

**June 3**—Senior Housing Council, Gramercy Park Co-op of St. Paul/Inver Grove Heights

**June 14**—Credit Managers Network Dinner, St. Cloud

**June 15**—Credit Issues Conference, Holiday Inn, St. Cloud

**Aug. 10**—Electric Membership Meeting, St. Cloud

**Aug. 11-12**—Cooperative Network Board Meeting, Madison, Wis.

# Lobbying efforts continue as legislative session winds down

With only a few days remaining in the 2010 legislative session, Cooperative Network continues to work on numerous bills affecting its members, including:

**Propane Weight Bill**—Provisions that would exempt propane and heating oil trucks from spring road restrictions have been included in the omnibus transportation bill. Bills including the spring road restriction language have been passed by both the House and the Senate, and a conference committee has been appointed to reconcile the differences between the two bills. Cooperative Network worked to resurrect the bill in 2010. The provision passed last session as part of an omnibus transportation policy measure, but was vetoed due to objections over other issues in the bill.

**Milk Truck Permits**—A bill to allow a special permit for trucks transporting raw milk has been included in the conference committee report on SF-2846, and Governor Pawlenty is expected to sign the bill. Specifically, the language allows a milk hauler using a single-unit vehicle to purchase an annual 10 percent overweight permit at a cost of \$60. The permits will only be available for the next three years, until August 1, 2012, in order to give haulers time to configure new routes or upgrade equipment in order to comply with normal weight limits. Truck operators must still comply with seasonal load restrictions, bridge load limits, may not exceed the manufacturer's gross vehicle rating, and may not travel on interstate highways.

**40 Square**—An amendment to benefit the development of the 40 Square cooperative health care project was added to a non-controversial medical bill on the Senate floor. The amendment, offered by Senator Dan Skogen (D-Hewitt), would

allow 40 Square a workable method to establish sufficient reserves to satisfy the Department of Commerce's requirements. The House is expected to concur in the Senate amendments and the governor is expected to sign the bill.

**Foreclosure Mediation**—A bill providing for homestead-lender mediation prior to foreclosure, SF-2170 (Scheid), was passed by the Senate on May 8. The House companion, HF-2613 (Hilstrom) is currently in the House Finance Committee. The bill, which is supported by Cooperative Network and the Credit Union

Network, establishes a mediation process for homeowners prior to lenders exercising foreclosure rights.

**Solar Energy**—A bill allowing Cooperative Network member Dairyland Power to operate what could be the largest solar energy project in the Midwest has been approved by the Legislature. The bill would allow Dairyland to use a former landfill in Olmstead County to produce up to five megawatts of energy and apply the energy efficiency credits resulting from the project to meet state-mandated renewable energy goals.

## Republicans endorse Tom Emmer for governor

The Republican Party convention was held in Minneapolis the weekend of April 30, and unlike the DFL convention, there were only two serious candidates for the gubernatorial endorsement: Representatives Marty Seifert (R-Marshall) and Tom Emmer (R-Delano). Heading into the convention, the two candidates were neck and neck, holding the potential for several ballots. Emmer received 53 percent on the first ballot and Seifert received 43 percent. Emmer increased his lead to 56 percent on the second ballot, just short of the 60 percent needed to secure the endorsement. As the third ballot was being distributed, Seifert conceded the race to Emmer who had won the endorsement essentially by appealing to delegates with his limited-government message. At this time, there will not be a Republican primary, which will allow Emmer to save his war chest until after Labor Day. Emmer is a trial attorney from Delano.



*The 10th Annual Senior Co-op Housing Conference was held May 12-13 at the Ramada Mall of America with 276 attendees from seven states. The conference's theme was "Planning for the Future – We May Just Live to be a 100 or More." Among the program's featured sessions were: The Vitality of Seniors Living in Senior Housing Co-ops; Replacement Reserves--Securing Your Co-op's Future; Marketing Today for Future Success; and a presentation by Minnesota's Assistant Attorney General on scams aimed at seniors. Cooperative Network thanks all the sponsors who helped keep conference registration costs low for the seniors. A list of sponsors is included in the conference program on Cooperative Network's website [www.cooperativenetwork.coop](http://www.cooperativenetwork.coop).*

**Cooperative Network Dispatch**

Prepared and distributed to provide timely information on matters pertaining to Minnesota's member-owned cooperatives.

### **Cooperative Network**

400 Selby Avenue, Suite Y  
St. Paul, MN 55102-4520  
(651) 228-0213 fax: (651) 228-1184  
[www.cooperativenetwork.coop](http://www.cooperativenetwork.coop)